THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

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AND

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WRIT PETITION No.15603 OF 2004

20th October 2005

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Between:

Madari Jayaraju. ….Petitioner.

AND

The Government of Andhra Pradesh,

rep. by its Secretary, Technical Education,

Secretariat, Hyderabad & others. …Respondents.

ORAL ORDER: (per Hon'ble Sri Bilal Nazki, the Acting Chief Justice)

This writ petition has been filed in public interest contending therein that respondents 6 to 15 were unauthorisedly running institutions within the State of Andhra Pradesh and they had no authority to run the institutions from the State Government or All India Council for Technical Education or University Grants Commission.

Similar matters were considered by the Supreme Court earlier in the judgment

reported in **Prof. Yashpal v. State of Chhattisgarh**. Thereafter, the matter was re-considered in **Rai University v. State of Chhattisgarh**. In paragraph 9, the Supreme Court observed:

> "At the time of hearing of the writ petition filed by Prof. Yashpal, it was not brought to the notice of the Court that the private universities had established large number of study centres at various places all over the country. We, therefore, consider it proper to clarify that while making the aforesaid observation, it was not meant that affiliation must necessarily be sought only with an already existing State university in Chattisgarh. The institutions of the erstwhile private universities, if otherwise eligible, may apply and seek affiliation with any other university which has jurisdiction over the area where the institution is functioning and is empowered under the relevant Rules and Regulations and other provisions of law applicable to the said university to grant affiliation. The decision on the application may be taken expeditiously in the interest of the student community and there should be no prolonged uncertainty about their future."

In view of these directions by the Supreme Court, we feel that the matter raised in the writ petition is covered by the two judgments of the Supreme Court and is accordingly disposed of.

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(BILAL NAZKI, ACJ)

20th October 2005.

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(R.SUBHASH REDDY, J.)

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